

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
CONDITIONAL USE PERMIT REPORT (#FCU-20-09)
JAMES GELORMINO
AUGUST 18, 2020

I. GENERAL INFORMATION

A. Project Description

This is a report to the Flathead County Board of Adjustment regarding a request by James Gelormino, for a Conditional Use Permit for “RV, boat and mini-storage.” The property is located within the Willow Glen Zoning District and is zoned ‘*R-5 two-family residential.*’

B. Application Personnel

1. Owner

James Gelormino
628 Willow Glen Dr.
Kalispell, MT 59901

C. Process Overview

1. Land Use Advisory Committee/Council

The proposed land use is not located within the jurisdiction of a Land Use Advisory Committee (LUAC).

2. Board of Adjustment

The Flathead County Board of Adjustments will conduct a public hearing on the proposed RV, boat and mini-storage on September 1, 2020 at 5:30 P.M. at the Expo Building at the Flathead County Fairgrounds. Documents pertaining to this file are available for public inspection in the Flathead County Planning and Zoning Office, located on the second floor of the South Campus Building.

II. PROPERTY CHARACTERISTICS

A. Property Location and Size

The subject property is located at 628 Willow Glen Drive in Kalispell, MT (see Figure 1 below). The property is 2.35 acres and can legally be described as Tract 12 of COS Greenacres_1-2-4_Gre, located in Section 20, Township 28 North, Range 21 West P.M.M., Flathead County, Montana.

Figure 1: Subject property (outlined in red)



B. Existing Land Use(s) and Zoning

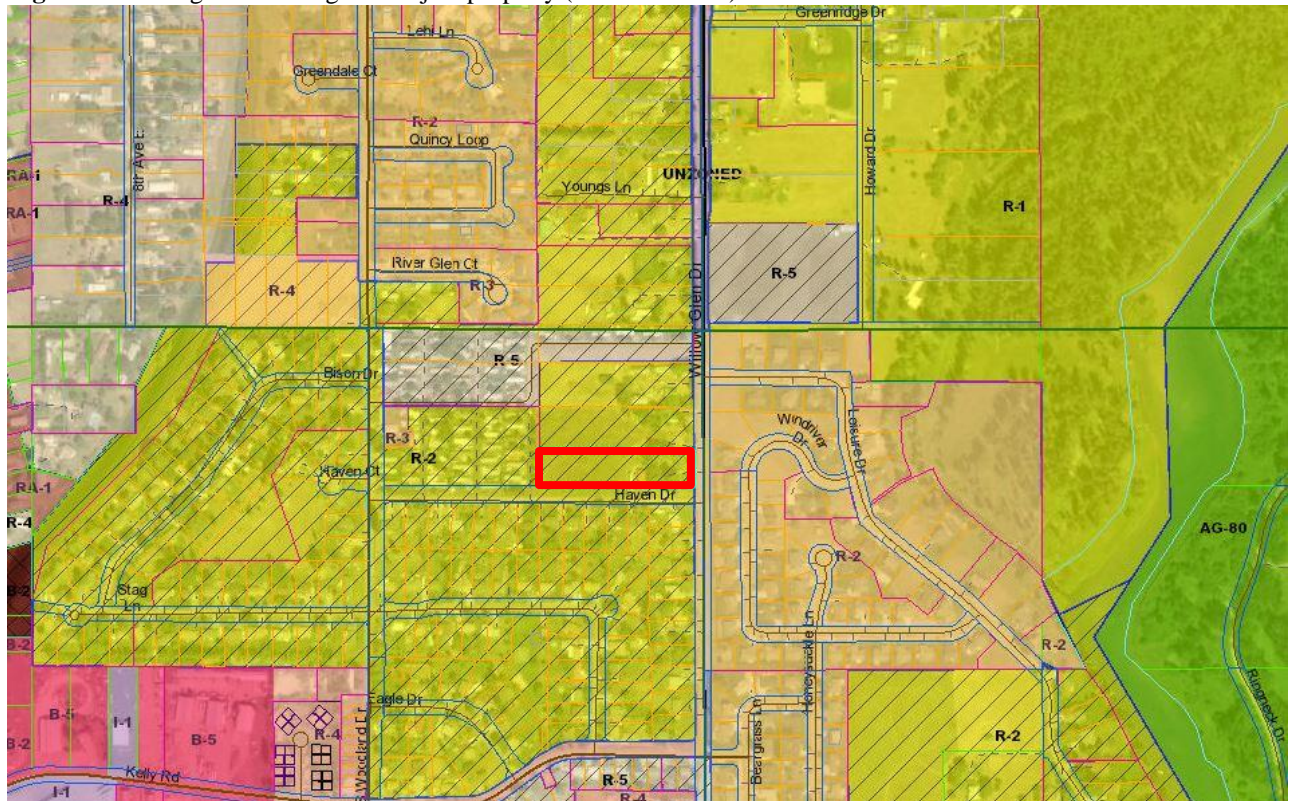
According to the application, the property currently contains an office, shed and garage.

The property is zoned ‘R-5 Two family residential.’ The R-5 zoning classification is defined as, “A residential district with minimum lot areas. Development within the district will require all public utilities, and all community facilities. A duplex is allowed in this district.”

Adjacent Land Use(s) and Zoning

Land to the north is similarly zoned R-5, to the east and south of the subject properties are zoned R-2 while the land to the west of the subject properties is zoned R-2 and R-5. The general character of the surrounding area is residential.

Figure 2: Zoning surrounding the subject property (outlined in red)



C. Summary of Request

The applicant is requesting a conditional use permit to allow for of Mini-storage located on the subject property, pursuant to Section 3.24.030(11) of the Flathead County Zoning Regulations (FCZR). Within the R-5 zone the placement of Mini-storage requires a conditional use permit, the review of which is subject to specific guidelines set forth under Section 2.06.080 FCZR regarding criteria for the issuance of a Conditional Use Permit.

The application is proposing to build two structures that house 75 storage units and two additional open-air structures to store RVs and boats. Building height will be limited to two stories and there is a total four structures being proposed. The RV, boat and mini-storage appears to comply with the regulations in Section 4.13.070 FCZR states, “*All storage shall be kept within an enclosed building, except propane or gasoline engines or storage tanks or any boat or vehicle incorporating such components, which shall be stored in screened exterior areas. This provision shall not be interpreted to permit the storage of partially dismantled, wrecked, or inoperable vehicles.*”

III. COMMENTS

A. Agency Comments

1. Agency referrals were sent to the following agencies on July 7, 2020:
 - *South Kalispell Fire District*
 - *Flathead County Road and Bridge*
 - *Flathead County Solid Waste*
 - *Flathead City-County Environmental Health Department*
 - *Flathead County Weeds & Parks Department*
 - *Bonneville Power Administration*
 - *Kalispell Public Schools*

- *Flathead County Superintendent of Schools*
 - *Montana Fish Wildlife and Parks*
 - *Flathead County Sheriff's Office*
 - *City of Kalispell Planning Department*
2. The following is a summarized list of agency comment received as of the date of the completion of this staff report:
- BPA
 - Comment: "At this time, BPA does not object to this request, as the property is located 2.19 miles away from the nearest BPA transmission lines or structures." Email dated July 24, 2020.
 - Flathead County Environmental Health
 - Comment: "This office has reviewed the information provided and submits the following comments:
 1. There is no Certificate of Subdivision Approval associated with this parcel.
 2. The parcel has a wastewater permit (Permit # 98-2995R) a 2 bedroom home, although no water or sewer will be utilized with this permit." Letter dated July 29, 2020.
 - Flathead County Solid Waste District
 - Comment: "After reviewing the application, the Solid Waste District views no negative impact with solid waste issues at this time." Letter dated July 24, 2020.
 - Flathead County Road and Bridge Department
 - Comment: "At this point the County Road Department does not have any comments on this request." Letter dated July 28, 2020.

B. Public Comments

1. Notification was mailed to property owners within 150 feet of the subject property on August 14, 2020, pursuant to Section 2.06.040(3) of the Flathead County Zoning Regulations. Legal notice of the public hearing on this application will be published in the August 16, 2020 edition of the Daily Interlake.
2. Public Comments Received
To date of the completion of this staff report, no written public comments have been received regarding the requested conditional use permit. It is anticipated any individual wishing to provide public comment on the proposal will do so during the public hearing scheduled for September 1, 2020. Any written comments received following the completion of this report will be provided to the Board and summarized during the public hearing.

IV. CRITERIA REQUIRED FOR CONSIDERATION

Per Sections 2.06.080 and 2.06.100 of the Flathead County Zoning Regulations, what follows are criteria required for consideration of a Conditional Use Permit and suggested findings of fact based on review of each criterion.

A. Site Suitability

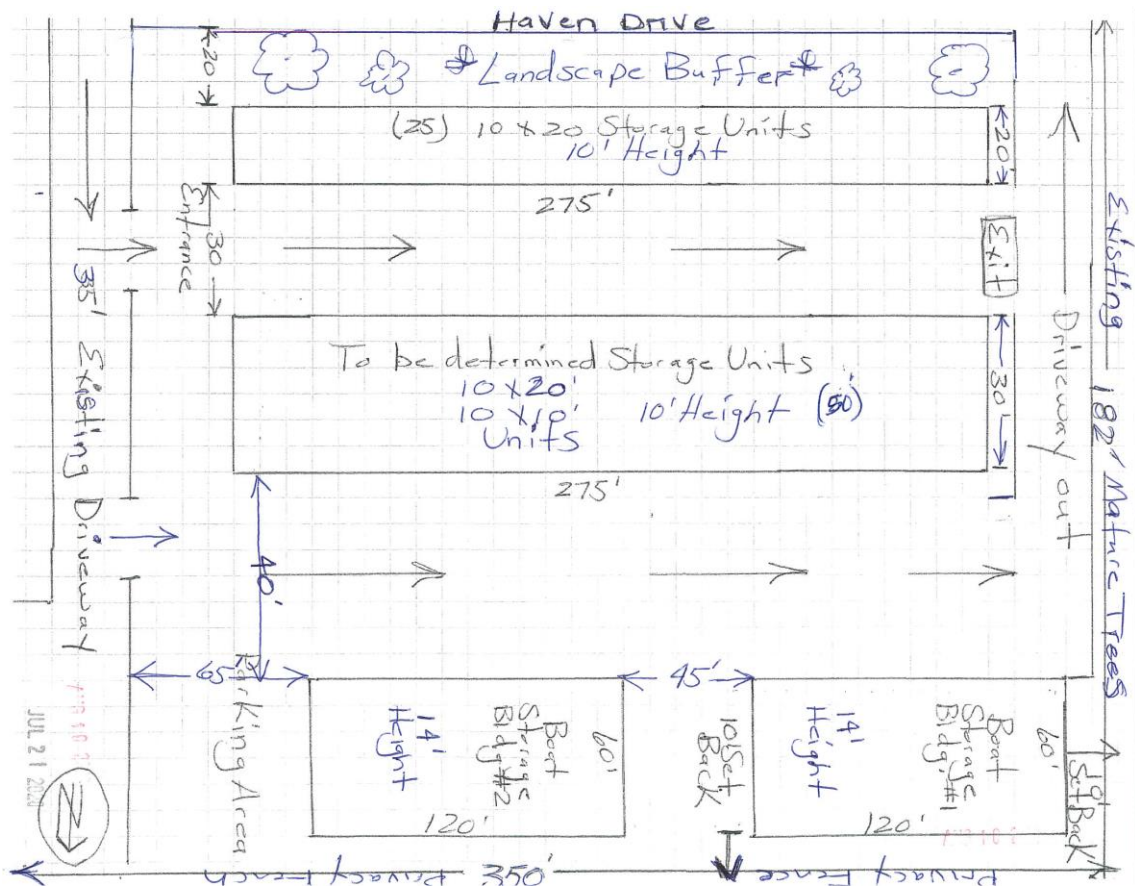
1. Adequate Usable Space

The subject property is 2.35 acres (102,366 sq. ft.) and is currently zoned R-5. In the 'R-5' zone, the minimum lot size is 5,400 square feet. The existing structures on the lot total 5,020 square feet of lot coverage.

The applicant is proposing to construct two mini-storage buildings and two RV/boat storage buildings. The larger mini-storage building is approximately 8,250 square feet and smaller of the two mini-storage buildings is approximately 5,500 square feet. The RV and boat storage buildings are proposed to be constructed to the same sizes, totaling 14,400 square feet. The permitted lot coverage in an R-5 zone is 40% and the proposed structures along with the existing structures will be well within the allowed lot coverage.

The proposal provides for three on-site parking spaces, two thru-lanes that will allow for traffic circulation and space for temporary parking. The front setback for the property is 20 feet, the rear setback is 5 feet and the side setback is 5 feet. The site plan shows the building located outside the required setbacks. (Figure 3) Based on the submitted site plan and staff's site visit there appears to be adequate space to accommodate the proposed use on the property.

Figure 3 – Proposed site plan



Finding #1 – The subject property appears to contain adequate usable space because the lot is approximately 2.35 acres, which is larger than the minimum lot size required, the proposed building will be located outside the setbacks, the proposed and existing lot coverage is under the maximum of 40%, and there will be adequate room for parking.

Adequate Access

The application states, “Vehicles will enter property via an existing approach on the east portion of Haven Drive, continuing through the property and exiting through an approach further west to Haven Drive.” The subject property is located on Haven Drive via Willow Glen Drive a paved, public road with a 60 foot easement. Based on staff's site visit it appears

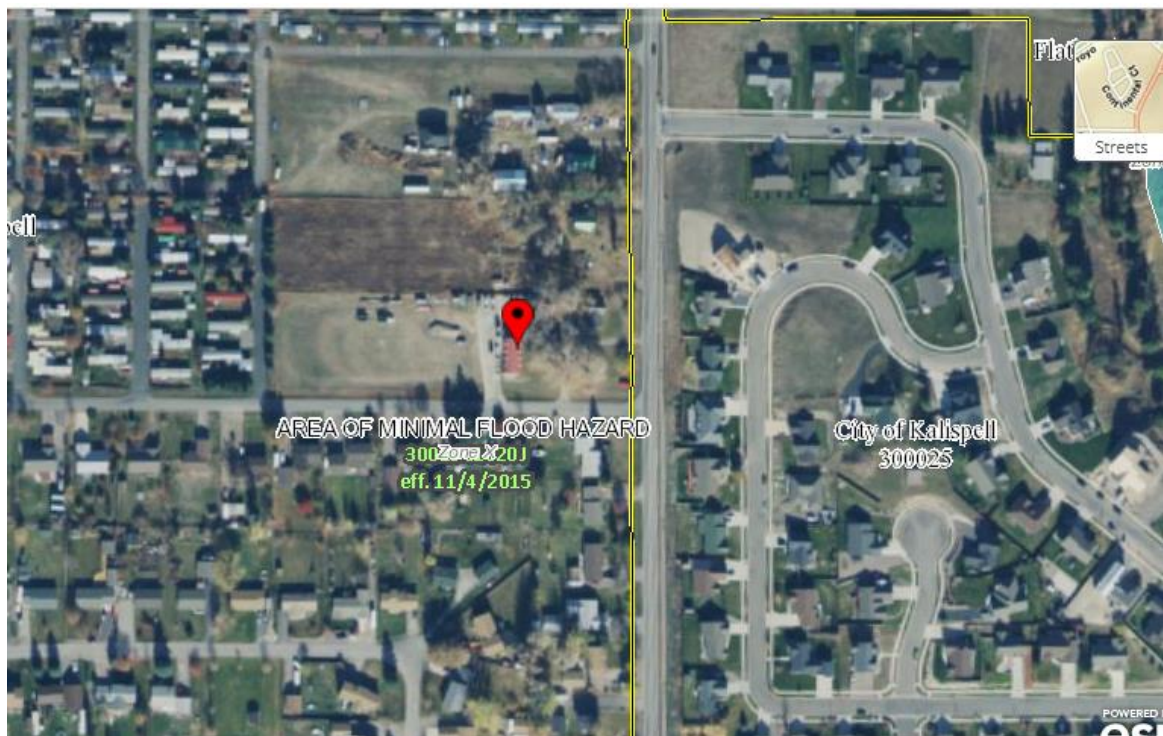
there is adequate sight distances from the proposed access to enter and exit the property safely.

Finding #2 – There appears to be adequate access for the proposed use because the site plan shows a 35 foot wide drive within the front setback, there is adequate sight distance to safely enter and exit the property.

Absence of Environmental Constraints

The subject property is located on relatively flat land and according to FEMA FIRM panel 30029C1820J is situated in an un-shaded Zone X, which is classified as an area outside the 500-year floodplain. Additionally, there are no wetlands, streams, or creeks located on the subject property. There are no apparent environmental constraints that would affect the proposed use. (See figure 5)

Figure 5 – FEMA FIRMette 30029C 1820J



Finding #3 – As proposed, the mini-storage, boat and RV storage appears to have no environmental constraints because the property is relatively flat, not located in a 100-year floodplain, and no wetlands, streams or creeks are located on the subject property.

B. Appropriateness of Design

1. Parking Scheme

The conditional use standards for mini-storage require that temporary parking be located on parking/driving lanes adjacent to storage units. These parking/driving lanes must be 26 feet wide when storage units open to one side of the lane and 30 feet wide when storage units open to both side of the driving lane, pursuant to Section 4.13.060 FCZR. The driving lanes are shown on the site plan at 30 feet and 40 feet. Additionally, per Section 4.13.050 FCZR the proposed new mini-storage units are required to have one parking space for the on-site manager with two additional spaces for the leasing office.

There are no additional parking requirements specific to the R-5 zoning district.

2. Traffic Circulation

The proposed use will utilize the existing approaches, which will provide both ingress and egress to the subject property. The internal driving lanes are shown on the site plan as looping through the subject property and in between each storage building eliminating the need for a turnaround. The driving lanes between storage units are required to be a minimum of 30 feet wide to provide for two-way traffic and temporary parking in front of each storage unit, and as previously stated the driving/parking lanes will be 30 feet at minimum.

Finding #4 – The proposed designated parking scheme and traffic circulation is acceptable because the site plan shows adequate temporary parking, a minimum of three parking spots and the proposed traffic aisle widths meet standards set forth in Appendix A [FCZR].

3. Open Space

The lot coverage for the R-5 zone is limited to 40%. The subject property is approximately 2.35 acres in size and the proposed buildings would cover approximately 28,220 square feet of the total lot. The applicant states, “Gravel driveway with grass vegetation along Haven Drive and along setbacks.” The proposed size of the buildings and location shown on the site plan would be able to comply with the setbacks requirements within the R-5.

4. Fencing/Screening

The application states, “Chain link fencing with coded access to storage buildings. An existing north privacy fence will remain and be extended to west end of property.” Any fencing constructed on the property would be required to comply with Section 5.04 [FCZR].

5. Landscaping

The mini-storage use has specific landscaping requirements set forth in Section 4.13.030 FCZR. For the portion of the property bordering residentially zoned areas, landscaping that creates sight-obscuring barrier is required and shall consist of trees, shrubs, and ground cover or a combination thereof. The applicant states, “A site obscuring barrier consisting of trees, shrubs and native grasses shall be provided. Mature tree barrier currently exists at the west end of the property.”

Finding #5 – The proposed open space, screening, fencing and landscaping appears adequate for the minimum requirements set forth in Section 4.13.030 because of the buffer between the residentially zoned areas, the site plan identifies landscape areas and fencing/screening proposed on the subject property as required.

6. Signage

The applicant states, “If any signs are installed, they would conform to standards for this district.” When the applicant installs signage, it must conform to Section 5.11 FCZR.

Finding #6 – There will be limited impacts resulting from signage because the applicant will be required to comply with applicable requirements set forth in the Flathead County Zoning Regulations and will be inspected for compliance at the end of one year.

7. Lighting

The application proposes lighting to be located on the outsides of the storage buildings. All proposed lighting must comply with performance standards set forth in Section 5.12 FCZR. The application states, “Any and all lighting will be shielded and directed on to subject property.”

Finding #7 – There will be limited visual impacts resulting from lighting because any proposed lighting would be required to comply with applicable requirements set forth in the Flathead County Zoning Regulations and will be inspected for compliance at the end of one year.

C. Availability of Public Services and Facilities

1. Sewer

Comment from Flathead City-County Health Department states, “There is no Certificate of Subdivision Approval associated with the parcel. The parcel has a wastewater permit (Permit #98-2995R) a 2 bedroom home, although no water services or sewer will be utilized with this permit.”

2. Water

Comment from Flathead City-County Health Department states, “There is no Certificate of Subdivision Approval associated with the parcel. The parcel has a wastewater permit (Permit #98-2995R) a 2 bedroom home, although no water services or sewer will be utilized with this permit.”

Finding #8 – The proposed use is expected to minimally impact public water and sewer services because the proposed development does not require review under the Sanitation in Subdivisions Act since no water or waste services will be utilized in the proposed use.

3. Storm Water Drainage

The applicant is proposing that all storm water be directed towards the “landscaped areas of the property. In ground, drain basins will be installed as well for precipitation from roof gutters.” All parking areas and access driveways shall have at a minimum, per Section 6.11.030(1) [FCZR], adequate drainage so that injuries not be caused to adjacent properties nor will water drain across a public walk. All storm water runoff is required to be absorbed on-site.

Finding #9 – The proposed new construction would have a minimum impact on storm water facilities because the method of storm water management appears adequate and the applicant will manage storm water runoff on-site through absorption techniques using open space.

4. Fire Protection

The applicant states, “Building will be engineered and constructed to current state building codes. Subject property is located within the South Kalispell Fire Department 0.6 miles, and would respond in the event of a fire or emergency.” The South Kalispell Fire Department currently serves the subject property and due to the close proximity to the fire station; quick response times in the event of an emergency are possible. No comment was received from the Fire Department concerning this application.

5. Police Protection

The Flathead County Sheriff’s Department would serve the property. It is anticipated response times in emergency would be acceptable given the property’s location in Kalispell.

6. Streets

The property is accessed via Haven Drive a paved two lane County maintained road with a 60 foot easement. The Flathead County Road and Bridge Department comment states, “At this point the County Road Department does not have any comments on this request.”

Finding #10 – The proposed mini-storage appears to have minimal impact on public services and facilities because the South Kalispell Fire Department and Flathead County Sheriff could

provide services to the subject property with an acceptable response time and the property is accessed by Haven Drive, a paved two lane County Road with a 60 foot easement.

D. Immediate Neighborhood Impact

1. Excessive Traffic Generation

The application states, “Vehicles will enter the property via an existing approach on the east portion of Haven Drive, continuing out one way through the property and exiting through approach further west onto east Haven Drive.” It is anticipated that any additional vehicle traffic generated by the proposed use will have a minimal adverse impact on the surrounding neighborhood. The Flathead County Road and Bridge Department comment states, “At this point the County Road Department does not have any comments on this request.”

Finding #11 – Additional vehicle traffic associated with the proposed use is not anticipated to generate excessive traffic which would adversely impact the immediate neighborhood because the traffic generated from the proposed use is anticipated to be similar to existing traffic conditions in the area. A new approach permit is required from the Montana Department of Transportation.

2. Noise or Vibration

The application states, “Due to infrequent access to the property, noise or vibration would be minimal.” While some noise and vibration will naturally occur as a result of construction activities related to the development of the building, these impacts will be limited in duration and should not negatively impact the surrounding area. No noise or vibration beyond what is typical for a commercial area is anticipated as a result of the proposed mini-storage/RV storage.

Finding #12 – The proposed use is not anticipated to have an immediate neighborhood impact because the mini-storage/RV storage will not create excessive noise or vibration.

3. Dust, Glare or Heat

While some dust is anticipated during construction activities, the resulting impacts will be limited in duration, similar to the impacts of construction noise and vibration. Excessive dust is a potential result of approximately 41,250 square feet of graveled drives in connection with the mini-storage, RV and boat storage use. Haven Drive is a paved road.

As with any development, increased impervious surface area and windows do have the potential to increase the impacts of glare and heat on the subject property as well as the surrounding area. However, these impacts can be mitigated by retaining open space on the subject property in conformance with the conditional use standards and the bulk and dimensional requirements of the zoning and ideally, landscaping these areas or maintaining them as grass or other types of pervious surfaces.

Finding #13 – The proposed use is anticipated to have an immediate neighborhood impact concerning dust because the subject property contains, in its plan, approximately 41,250 square feet of graveled drives in connection with the mini-storage/RV/boat storage use. The dust will be mitigated with a dust control plan.

4. Smoke, Fumes, Gas, or Odors

The proposed mini-storage/RV/boat storage is not expected to create any smoke, fumes, gas or odors beyond those typically associated with residential traffic and storage. The proposed use will likely not impact the surrounding neighborhood with regard to these types of emissions.

Finding #14 – The proposed use is not anticipated to have an immediate neighborhood impact concerning smoke, fumes, gas or odors beyond those typically associated with residential traffic and storage.

5. Inappropriate Hours of Operation

The application states, “Access to the property will be 7 days a week, within acceptable business hours due to residential nature of area.”

There are no specific standards for hours of operation for mini-storage established in the Flathead County Zoning Regulations. However, because of the residential character of the neighborhood inhabitants may be impacted by late hours.

Finding #15 – The proposed hours of operation would be acceptable and would likely have minimal impact on the neighborhood because activity levels associated with normal operation of the mini-storage would primarily occur during daytime and early evening hours.

V. SUMMARY OF FINDINGS

1. The subject property appears to contain adequate usable space because the lot is approximately 2.35 acres, which is larger than the minimum lot size required, the proposed building will be located outside the setbacks, the proposed and existing lot coverage is under the maximum of 40%, and there will be adequate room for parking.
2. There appears to be adequate access for the proposed use because the site plan shows a 35 foot wide drive within the front setback, there is adequate sight distance to safely enter and exit the property.
3. As proposed, the mini-storage, boat and RV storage appears to have no environmental constraints because the property is relatively flat, not located in a 100-year floodplain, and no wetlands, streams or creeks are located on the subject property.
4. The proposed designated parking scheme and traffic circulation is acceptable because the site plan shows adequate temporary parking, a minimum of three parking spots and the proposed traffic aisle widths meet standards set forth in Appendix A [FCZR].
5. The proposed open space, screening, fencing and landscaping appears adequate for the minimum requirements set forth in Section 4.13.030 because of the buffer between the residentially zoned areas, the site plan identifies landscape areas and fencing/screening proposed on the subject property as required.
6. There will be limited impacts resulting from signage because the applicant will be required to comply with applicable requirements set forth in the Flathead County Zoning Regulations and will be inspected for compliance at the end of one year.
7. There will be limited visual impacts resulting from lighting because any proposed lighting would be required to comply with applicable requirements set forth in the Flathead County Zoning Regulations and will be inspected for compliance at the end of one year.
8. The proposed use is expected to minimally impact public water and sewer services because the proposed development does not require review under the Sanitation in Subdivisions Act since no water or waste services will be utilized in the proposed use.
9. The proposed new construction would have a minimum impact on storm water facilities because the method of storm water management appears adequate and the applicant will manage storm water runoff on-site through absorption techniques using open space.

10. The proposed mini-storage appears to have minimal impact on public services and facilities because the South Kalispell Fire Department and Flathead County Sheriff could provide services to the subject property with an acceptable response time and the property is accessed by Haven Drive, a paved two lane County Road with a 60 foot easement.
11. The proposed use is not anticipated to have an immediate neighborhood impact because the mini-storage/RV storage will not create excessive noise or vibration.
12. The proposed mini-storage appears to have minimal impact on public services and facilities because the Flathead County Sheriff currently provides service to the subject property, and the property is accessed by US Highway 93.
13. The proposed use is anticipated to have an immediate neighborhood impact concerning dust because the subject property contains, in its plan, approximately 41,250 square feet of graveled drives in connection with the mini-storage/RV/boat storage use. The dust will be mitigated with a dust control plan.
14. The proposed use is not anticipated to have an immediate neighborhood impact concerning smoke, fumes, gas or odors beyond those typically associated with residential traffic and storage.
15. The proposed hours of operation would be acceptable and would likely have minimal impact on the neighborhood because activity levels associated with normal operation of the mini-storage would primarily occur during daytime and early evening hours.

VI. CONCLUSION

Upon review of this application, the request to allow for mini-storage, boat and RV storage on the subject property is generally supported by the review criteria and the Findings of Fact listed above. Should the Flathead County Board of Adjustment choose to adopt staff report FCU-20-09 as Findings of Fact and approve the conditional use permit, the following conditions would ensure compliance with the review criteria and appropriate measures to mitigate impacts:

VII. CONDITIONS OF APPROVAL

1. The operation of the 'boat, RV and mini-storage' on the subject property shall be in substantial conformance with the application materials and site plan as submitted and approved by the Board of Adjustment and modified by the conditions below [FCZR Section 2.06.010].
2. Changes or modifications to the approved use or the site plan shall not be affected unless specifically approved in writing by the Flathead County Board of Adjustment [FCZR Section(s) 2.06.010 and 2.06.020].
3. The mini-storage shall comply with standards defined in Section 4.13 of the Flathead County Zoning Regulations.
4. The mini-storage shall be located in accordance with the bulk and dimensional requirements of the R-5 Zoning District, pursuant to Section 3.14.040 of the Flathead County Zoning Regulations.
5. All signage on the subject property shall comply with applicable standards and guidelines set forth under Sections 3.44.110 and Chapter 7 of the Flathead County Zoning Regulations.
6. All lighting on the subject property shall comply with applicable standards and guidelines set forth under Section 5.12 of the Flathead County Zoning Regulations.
7. The proposed use shall be reviewed by the County Road and Bridge Department and obtain an approach permit for a mini-storage, RV storage. A copy of the approved permit shall be available upon request by Flathead County Planning and Zoning.

8. A dust control plan shall be submitted to the Flathead City-County Environmental Health Department.
9. The conditional use permit shall terminate twelve (12) months from the date of authorization if commencement of authorized activity has not begun, unless the applicant can demonstrate and maintain a continuous effort in good faith in commencing the activity. [FCZR Section 2.06.060].
10. At the end of twelve (12) months from the date of authorization of this permit staff will inspect to verify compliance [FZCR Section 2.06.060].

Planner: LM